An Objection to Sedevacantism: Paul VI as 'Patriarch of the West'

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Q. I have seen you contend in an article that the obvious evil of the *Novus Ordo* on one hand, and the Church's infallibility in her universal disciplinary laws on the other, seen together, point toward a juridical loss of office on the part of the Paul VI and his successors. This, you say, proves the correctness of the *sede vacante* position.

However, did not Paul VI issue the *Novus Ordo* only in his capacity as Patriarch of the West (rather than as Supreme Pontiff), and then only for the Latin Rite? Could one say, then, that the *Novus Ordo* would *not* be a truly universal law, and hence *not* protected by infallibility?

A. While yours is indeed an intriguing question, the claim that a pope who promulgates liturgical legislation for the Latin Rite acts solely in his capacity as Patriarch of the West (rather than as Supreme Pontiff) appears to be entirely gratuitous. I could find no dogmatic tract or commentary on the Code, at any rate, which supported or even mentioned such a notion.

The term "universal," moreover, as applied to a church law, does not refer to the "rite" where a law has force, but rather to the territory where it has force. A standard pre-Vatican II commentary on the Code gives the following division for law:

III. By reason of its extension [*ambitus*]into: a) *universal*, which applies in the whole Catholic world; b) *particular* which has force in a certain limited territory only. (Wernz-Vidal, *Ius Canonicum* 1:50.)

The same commentary speaks of disciplinary laws which it terms "universal," even though Eastern Rites are automatically exempt from observing them:

Although Greek Catholics are indeed bound by definitions of Catholic doctrine regarding faith and morals, they are nevertheless not bound by disciplinary laws, *even universal ones*, unless something is laid down for them

[the Greeks], or express mention is made of them, or unless the law for the matter regulated is implicitly extended to them also. (1:148. My emphasis.)

Further, in discussing the secondary object of the Church's infallibility, the authors treat liturgical laws for the Latin Rite as protected by infallibility, without any further qualification.

It would thus appear one could not "save" Paul VI by dismissing the errors and evils of his *Novus Ordo* as some sort of local aberration approved by him in his capacity as Patriarch of the West.

The "Patriarch of the West" argument, moreover — like other arguments traditionalists use in an attempt to defend Paul VI as a legitimate pope while simultaneously denouncing his Mass — run up against the anathema decreed by the Council of Trent:

If anyone says that the ceremonies, vestments, and outward signs, which the Catholic Church uses in the celebration of Masses, are incentives to impiety rather than the services of piety: let him be anathema. (Denziger 954.)

He who maintains that Paul VI and his successors were indeed true popes should not *dare* to criticize the *Novus Ordo* — for the Catholic Church through her head on earth does not institute ceremonies and outward signs for celebrating Mass which are "incentives to impiety." Indeed, the Church solemnly anathematizes those who say otherwise.

But as all traditional Catholics know, the *Novus Ordo* is *neither* Catholic *nor* holy. Once someone arrives at this point and acknowledges the obvious — that the *Novus Ordo* is an incentive to impiety on the grandest possible scale — logic, and indeed Trent's anathema, compel him to deny that those who promulgated the liturgical changes possessed the authority of the Catholic Church.

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